

REMARKS

Claims 5-34 are pending in this application. By this Amendment, claims 8, 10-13, 25 and 26 are amended to more clearly set forth the subject matter therein. Support for these amendments can be found in claims 8, 10-13, 25 and 26 as filed. Thus, no new matter is added by these amendments.

I. Rejection Under 35 U.S.C. §112, second paragraph

The Office Action rejects claims 8-15 and 25-31 under 35 U.S.C. §112, second paragraph, as indefinite. Applicants respectfully traverse this rejection.

Specifically, the Office Action takes the position that the term "an electrified lubricant" in the preamble of these claims is unclear. Applicants do not agree that the meaning of this term is unclear, but, in the interest of furthering prosecution, claims 8, 10-13, 25 and 26 are amended herein to set forth, in pertinent part, "a lubricant for die lubrication" to clarify the claim language. The amended claims clearly indicate that the lubricant is in a state carrying a charge.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

II. Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 5-34 under 35 U.S.C. §103(a) over European Patent EP 1 145 788 A1. Applicants respectfully traverse this rejection.

Applicants respectfully submit that EP 1 145 788 A1 is not available as prior art with respect to the present application. EP 1 145 788 A1, on its face, has a publication date of October 17, 2001. The instant application was filed on March 27, 2001. Thus, EP 1 145 788 A1 was not published prior to the "date of invention" or the U.S. filing date of the instant application and cannot be properly cited as prior art to the instant application.

It is respectfully submitted that claims 5-34 are patentable over EP 1 145 788 A1.

Accordingly, reconsideration and withdrawal of the rejection are respectfully submitted.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 5-34 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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